

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**HELENA CHEMICAL COMPANY**

**PLAINTIFF**

**V.**

**CASE NO. 3:16-CV-250-JMV**

**MICHAEL YOUNG AND  
YOUNG FARMS ROWCROP, LLC**

**DEFENDANTS**

**AGREED ORDER GRANTING MOTION FOR SUMMARY JUDGMENT OF HELENA  
CHEMICAL COMPANY IN WHOLE OR IN PART**

On consideration before the Court is Helena Chemical Company's ("Helena" or "Plaintiff") Motion for Summary Judgment in Whole or in Part [DK#32] ("Motion"); the Defendants confess the Motion and the court having considered same finds it to be well taken and further finds and adjudicates as follows, to-wit:

1. From time to time, Helena sold goods on open account to Young Farms Rowcrop, LLC for its farming business enterprises.

2. Defendant Michael Young executed on behalf of Young Farms Rowcrop, LLC, an Application for Credit, a Credit Sales and Services Agreement, an Extended/Future Terms Request, and individually executed a Guaranty Agreement, for the benefit of Helena absolutely and unconditionally guaranteeing the indebtedness due Helena from Young Farms Rowcrop, LLC.

3. Although not required, on October 20, 2016, Helena, through counsel, made demand on the Defendants for payment of the indebtedness due Helena.

4. Helena initiated the present action by filing an Amended Complaint against the Defendants, along with a copy of the Application for Credit, Credit Sales and Services Agreement, Extended/Future Terms Request, Guaranty Agreement, Accounts Receivable Ledger showing the debits and credits on Defendants' account, Demand Letter dated October 20, 2016, and an affidavit

of Gary Yochum, Credit Manager of Helena Chemical Company attesting to the open account balance of Young Farms Rowcrop, LLC (“Complaint”).

5. The Defendants confessed the Motion for Summary Judgment filed by the Plaintiff, therefore necessitating an entry of summary judgment in favor of Helena under the directives of Rule 56 of the Federal Rules of Civil Procedure.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that Helena is awarded a judgment as a matter of law pursuant to Rule 56 of the Federal Rules of Civil Procedure against Defendants Michael Young and Young Farms Rowcrop, LLC, jointly and severally, in the amount of \$240,063.32 and post-judgment interest at the legal rate.

**SO ORDERED AND ADJUDGED** this the 22<sup>nd</sup> day of January, 2018.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE

AGREED:

/s/ Michael D. Tapscott  
MICHAEL D. TAPSCOTT, ESQ.  
Attorney for Defendants

/s/ Rosamond H. Posey  
ROSAMOND H. POSEY, ESQ.  
Attorney for Plaintiff